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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/634,793	08/09/2000	Zeeman Zhang	99482	5219

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EXAMINER

KIDD, MARKY M

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/634,793

Applicant(s)

ZHANG ET AL.

Examiner

Marky M Kidd

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 7, 8, 10, 16, 17, 20-23, 26-28, 30, 31, and 33-38** are rejected under 35 U.S.C. 102(b) as being unpatentable by Daudelin (US Patent Number 4,959,855).

Regarding **claim 1**, Daudelin discloses a telecommunication switching network for providing a telecommunications service with automatic speech recognition to a telecommunications user, comprising:

a switch (local switch 30) in communication with a telecommunications device associated with the telecommunications user for detecting a terminating trigger specific to the telecommunications service in response to an incoming communication to the telecommunications device from a calling party (column 3, lines 52-57); and

an intelligent resource server (switch 1) in communication with the switch (local switch 30) for receiving the incoming communication from the switch, for placing an outgoing communication to the telecommunications device via the switch (column 7, lines 6 and claim 1), the outgoing communication including an audible message identifying the calling party (column 7, line 44), and for automatically recognizing a predetermined keyword spoken by the telecommunications user in response to the outgoing communication (column 8, line 6-8).

Regarding **claim 10**, Daudelin discloses a switch in communication with a telecommunications device associated with the telecommunications user for detecting a terminating trigger specific to telecommunications device in response to an incoming communication to the telecommunications device from a calling party (column 3, lines 52-57),

a call processing module in communication with the switch for receiving the incoming communication from the switch (column 7 line 44 and figure 3 item 232) and for placing an outgoing communication to the telecommunications device via the switch (column 6, lines 64-67), the outgoing communication including an audible message identifying the calling party (column 7, lines 7-9), and

An automatic speech recognition module (voice processing unit 14) in communication with the switch for recognizing a predetermined keyword spoken by the telecommunications user in response to the outgoing communication (column 8, line 7 and figure 4 item 230).

Regarding **claim 22**, Daudelin discloses a telecommunication switching network that provides a telecommunication service with automatic speech recognition for a telecommunications user consisting of:

a call processing module for receiving from a switch a communication with a telecommunications device associated with the telecommunications user an incoming communication to the telecommunications device from a calling party (column 7 line 44 and figure 3 item 232), and for placing an outgoing communication to the telecommunications device via the switch (column 6, lines 64-67), the outgoing communication including an audible message identifying the calling party (column 7, lines 7-9); and

an automatic speech recognition module in communication with the call processing module for recognizing a predetermined keyword spoken by the telecommunications user in response to the outgoing communication (column 8, line 7 and figure 4 item 230).

Regarding **claims 28 and 35**, Daudelin discloses a method and means for providing a telecommunication service with automatic speech recognition to a telecommunications user consisting of:

Detecting a communication from a calling party to the telecommunications user (column 6, line 65-67);

Placing an outgoing communication to the telecommunications user identifying the calling party in response to detection of the incoming call (column 7, lines 43-45; and

Automatically recognizing a predetermined keyword spoken by the telecommunications user in response to the outgoing message (column 8, line 8 and lines 16-21).

Regarding **claims 7, 30 and 37**, Daudelin discloses a network and method where the voice processing unit 14 is further for processing the incoming communication based on recognition of the predetermined keyword (column 8, lines 28-31).

Regarding **claims 8,17, 23, 31 and 38**, Daudelin discloses forwarding of incoming communication to a telecommunication device based on recognition of a predetermined keyword, which is performed by some type of speech recognition device (column 8, lines 6-7 and lines 29-20 and figure 5 item 258).

Regarding **claim 16**, Daudelin discloses a network where the call processing module is further for processing the incoming communication based on recognition of the predetermined keyword by the automatic speech recognition module (column 8, line 6-7). Malik discloses a

voice processing unit 14 which equipped with a voice recognition device, which is well known in the art to be equivalent to the automatic speech recognition module disclosed in the application.

Regarding **claims 20, 26, 33 and 36**, Daudelin discloses a DTMF decoder module (voice processing unit 14) in communication with the switch for recognizing a predetermined DTMF character entered by the telecommunications user in response to the outgoing communication (column 8, lines 64-67).

Regarding **claims 21, 27, and 34**, Daudelin discloses a voice processing unit 14 that processes incoming communication based on recognition of the predetermined DTMF character by the DTMF decoder module (column 8, lines 64-76). The DTMF decoder module is located with the voice processing unit 14 (column 2, lines 63-67 and column 3, line 1).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 2, 4, 5, 11, 13 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Daudelin in view of Malik (US Patent Number 5,943,409).

Regarding **claims 2 and 11**, Daudelin discloses a telecommunications switching network that meets all the limitations disclosed in claim 1. Daudelin, however, is silent on the issue of a switch including a SSP switch. Malik discloses a switch that includes an SSP switch of a central office in communication with the telecommunications device via a subscriber line (Figure 1,

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column 5, lines 61-67). It would have been obvious at the time of the invention to modify the network of Daudelin to include the network of Malik in order to implement a switching network that is capable of advanced switching techniques.

Regarding **claims 4 and 13**, Daudelin discloses a telecommunication switching network that consisting of a switch routing communication from the telecommunications device upon detecting a trigger. Daudelin, however, is silent on the issue of the switch communicating with a service control point. Malik discloses a service control point (SCP 50) in communication with the central office switch (SCP 25a and 25b) by means of subscriber lines (20a and 20b, column 5, line 6 and lines 13-17). It would have been obvious to one skilled in the art at the time of the invention to modify the network of Daudelin to incorporate the network of Malik in order to allow an Advanced Intelligent Network. Therefore, allowing an enhanced telecommunications services to callers.

Regarding **claim 5**, Malik discloses a network where the switch is further for sending a query message to the service control point in response to detecting the terminating trigger (column 6, lines 28-31); and the service control point is for returning a message to the switch to route the incoming communication to the intelligent resource server (service control node 55, column 6, lines 32-36 and column 7, lines 46-49).

Regarding **claim 14**, Malik discloses a network where the switch is further for sending a query message to the service control point in response to detecting the terminating trigger (column 6, lines 28-31); and the service control point is for returning a message to the switch to route the incoming communication to the call processing module (service control node 55, column 6, lines 32-36 and column 7, lines 46-49).

5. **Claims 3 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Daudelin in view of Batni (US Patent Number 5,898,917).

Regarding **claims 3 and 12**, Daudelin disclose all the limits as set forth in claim 1. However, Daudelin is silent on the issue of the switch including a mobile switching center in communication with the telecommunications device via an air-interface communication scheme. Batni discloses a cellular radio telecommunications system that provides enhanced services from an SCP (Figure 1 and column 3, lines 37-39). Therefore, it would have been obvious to one skilled in the art at the time of the invention to expand the network of Daudelin to include a wireless network.

6. **Claims 6 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Daudelin in view of Malik in further view of McAllister (US Patent Number 5,991,364).

Regarding **claims 6 and 15**, Daudelin discloses a telecommunication switching network that meets the limitations of claim 1, and Malik discloses a network consisting of a service control point that meets the limitations of claim 5. Daudelin and Malik; however, are silent on the issue of the incoming communication being routed based on a determination of whether the telecommunications user is a subscriber of the telecommunications service. McAllister discloses telephone communications system that provides voice activated call dialing functionality that will compare the spoken utterance of the caller to determine if the caller has a stored caller processing record (CPR). The ISCP will checks the available CPR's to see there is a match and if so communicates this information to the switch for routing to the destination (column 9, 20-27). It would have been obvious to one skilled in the art at the time of the invention to modify

the network of Daudelin and Malik to include the system of McAllister in order to determine if a present caller is a current subscriber to the telecommunication service requested.

7. **Claim 29** is rejected under 35 U.S.C. 103(a) as being unpatentable over Daudelin in view of McAllister.

Regarding **claim 29**, Daudelin discloses all the limitations of claim 28 for providing telecommunications service with automatic speech recognition to a telecommunication user. Daudelin, however, is silent on the issue of determining that the telecommunications user is a subscriber of the telecommunication service. McAllister discloses a telephone communications system that stores the spoken utterance of callers into a caller processing record so that it can be checked to see where the caller wants calls to be directed, the callers are considered subscribers to the system (column 4, lines 56-63). Therefore, it would have been obvious at the time of the invention to modify the method of Daudelin to include that of McAllister to make sure that outgoing communications to the user is able to identify the calling party based off the fact that the user is a subscriber of the telecommunications service.

8. **Claims 9, 18, 19, 24, 25, 32, and 39** are rejected under 35 U.S.C. 103(a) as being unpatentable over Daudelin in view of Serbetcioglu (US Patent Number 5,511,111).

Regarding **claims 9, 18, 24, 32, and 39**, Daudelin discloses voice processing unit 14 in the telecommunication switching network that will forward incoming communications to a telecommunication device based on recognition of predetermined keywords. Daudelin, however, is silent on the issue of forwarding the incoming communication to a messaging system associated with the telecommunication use based on recognition of a second predetermined keyword. Serbetcioglu discloses communication system with call screen options that allows the

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called party to forward incoming communication to a messaging system based off speaking a predetermined keyword (column 9, lines 17-21). It would have been obvious to one skilled in the art to modify the system of Daudelin to include the system of Serbetcioglu in order to allow the called party to screen incoming calls. Therefore, the called party can determine if they want to receive calls at the present time or have the caller forwarded to a voicemail mailbox.

Regarding **claims 19 and 25**, Daudelin discloses an enunciation module in communication with the switch for playing the audible message. Daudelin, however, is silent on the issue of the audible message identifying the calling party. Serbetcioglu discloses a caller name delivery system that will place a call to the called party in order to announce who is calling (column 10, lines 14-16). It would have been obvious to one skilled in the art at the time of the invention to modify the system of Daudelin to include the method of Serbetcioglu in order to allow the enunciation module to play an audible message identifying the calling party. Which will help the called party determine if they want to answer the call at that time.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marky M Kidd whose telephone number is 703-305-8149. The examiner can normally be reached on Monday-Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5403 for regular communications and for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Marky M Kidd
Examiner
Art Unit 2645

January 24, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', with a long horizontal flourish extending to the right.